REMARKS

By the subject Amendment, Applicants have cancelled independent Claims 1 and 13 without prejudice and have merely placed Claims 2 and 16 in independent form. Claims 2 and 16 include all of the limitations of the previous base claim and any intervening claims. Hence, Claim 2 incorporates former Claim 1, and Claim 16 incorporates former Claim 13. Applicants submit that by merely placing Claims 2 and 16 in independent form, these claims have neither been limited nor narrowed in scope. Further, the amendments contained herein have not been made to distinguish the claimed invention from any prior art. The amended claims fully and distinctly set forth the subject matter that Applicants regard as the invention.

In response to the cancellation of Claims 1 and 13 and the amendments made to Claims 2 and 16, amendments have also been made to Claims 3, 5, 6, 14 and 15 in order to adjust their dependencies.

In the office action, the Examiner rejected former Claims 1 through 5, 13 through 15 and 18 through 20 on the basis of Goglio. With respect, Applicants submit that Goglio discloses, and is concerned with, a materially different process than that as described by Applicants' claims. The primary stages of the Goglio process are (1) the manufacturing of a container in a forming plant 8; (2) purging the container and sealing it closed; (3) transporting the sealed container to a packaging plant 6; (4) grinding coffee beans in a grinding plant 3; (5) transporting the ground coffee beans from the grinding plant to the packaging plant where the ground coffee is stored in a container filling machine; and, (6) opening the sealed container, filling the container with coffee stored in the filling machine, and sealing the container with the coffee retained therein.

does not disclose the grinding of coffee beans directly into a container filling apparatus and delivering the ground coffee directly into purged containers with minimal delay and minimal degasification to maximize the retention of carbon dioxide and aromatics. Goglio utilizes a separate and distinct "grinding plant 3" and a separate and distinct "packaging plant 6" that are connected by means of a feeder duct 4. (Column 2 lines 61 - 67). Since the ground coffee beans are being moved between the two plants by duct 4, it becomes necessary for Goglio to utilize a hopper to act as an overflow control for feeding duct 4. The hopper is clearly shown in Figure 1 of the Goglio patent. This hopper will result in the stratification of the ground coffee and a general separation of fines from the coarse particles. The use of the hopper will also cause a loss of aromatics and carbon dioxide and a delay in the packaging of the ground coffee.

The transportation of the ground coffee from the grinding plant to the packaging plant by means of duct 4 will result in yet a further delay, further degasification, further loss of carbon dioxide, and a further loss of aromatics. In addition, regardless of whether duct 4 comprises an air conveyor, screw conveyor, or belt conveyor, transporting the coffee over a distance between plants by means of a duct or conveyor system will have the deleterious affect of causing further stratification of the coffee and yet a further loss of gases.

The system described by Goglio and shown in the drawings attached to the Goglio patent (and in particular Figure 1) simply does not provide for the direct grinding of roasted coffee into a container filling apparatus and delivering the ground coffee into purged containers with minimal delay to maximize the retention of carbon dioxide and aromatics, and to minimize degasification. The very nature of the Goglio process introduces a variety of stages and devices where ground coffee is allowed to accumulate before it is packaged. The very fact that separate grinding and packaging

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The system described by Goglio and shown in the drawings attached to the Goglio patent (and in particular Figure 1) simply does not provide for the direct grinding of roasted coffee into a container filling apparatus and delivering the ground coffee into purged containers with minimal delay to maximize the retention of carbon dioxide and aromatics, and to minimize degasification. The very nature of the Goglio process introduces a variety of stages and devices where ground coffee is allowed to accumulate before it is packaged. The very fact that separate grinding and packaging

plants are used is itself a factor that clearly distinguishes Goglio from Applicants' claimed invention.

In the office action, the Examiner has also rejected former Claims 7 through 12, 16 and 17 as being obvious in light of Goglio in combination with Hibi. Applicants submit that Hibi adds nothing to the disclosure of Goglio that would be considered relevant to the patentability of the independent claims of the present application. Hibi merely describes a particular method of preparing coffee through roasting at a defined temperature, and thereafter quickly quenching the coffee to a temperature of between -17 degrees Celsius and -35 degrees Celsius to maximize flavour and aroma retention. The Hibi patent does not describe, nor is it at all concerned with, the grinding of roasted coffee directly into a container filing apparatus and thereafter delivering the ground roasted coffee directly into purged containers without delay. Since in Applicants' view the claimed invention is clearly distinguishable from Goglio, Applicants further submit that the claimed invention is not rendered obvious in light of the combination of Goglio and Hibi.

Accordingly, Applicants respectfully submit that all pending Claims are in condition for allowance. Applicants request that the subject patent application be passed to issuance without delay.

Attached hereto is a document entitled **VERSION WITH MARKINGS TO SHOW CHANGES MADE** identifying the amendments made to the claims.

It is believed that no fees are presently due. However, should this determination be incorrect, the Patent Office officials are hereby authorized to charge Deposit Account No. 13-2759 for any and all fees that may be owing. The undersigned is to be notified of any and all charges to the

aforementioned deposit account.

Respectfully submitted,

Date: 12/

James J. Merek
Attorney for Applicants
Reg. No. 32,158

MEREK & VOORHEES
673 South Washington Street
Alexandria, Virginia 22314
(703) 684-5633

VERSION WITH MARKINGS TO SHOW CHANGES MADE IN THE CLAIMS

1. [A method of processing roasted coffee to improve the retention of carbon dioxide and aromatics liberated from the roasted coffee, the method comprising the steps of:

(i) preparing one or more containers for receiving coffee therein;

(ii) purging said containers of contained air through flushing said containers with an inert gas;

(iii) transporting and delivering roasted coffee to a grinding circuit;

(iv) grinding said roasted coffee directly into a container filling apparatus;

(v) with said container filling apparatus, delivering said ground coffee directly into said purged containers; and,

(vi) sealing said containers to maximize the retention of carbon dioxide and aromatics liberated from said roasted coffee and to minimize contact of said ground roasted coffee with the air.]

2. [The method as claimed in claim 1] A method of processing roasted coffee to improve the retention of carbon dioxide and aromatics liberated from the roasted coffee, the method comprising the steps of:

(i) preparing one or more containers for receiving coffee therein;

(ii) purging said containers of contained air through flushing said containers with an inert gas;

(iii) transporting and delivering roasted coffee to a grinding circuit;

(iv) grinding said roasted coffee directly into a container filling apparatus;

(v) with said container filling apparatus, delivering said ground coffee directly into said purged containers; and,

(vi) sealing said containers to maximize the retention of carbon dioxide and aromatics liberated from said roasted coffee and to minimize contact of said ground roasted coffee with the air,

wherein said steps of grinding said roasted coffee directly into a container filling apparatus and delivering said ground coffee directly into said purged containers are completed with minimal delay between successive steps to minimize the loss of carbon dioxide gas liberated from said coffee prior to the sealing of said coffee within said containers.

3. The method as claimed in claim [1] 2 including the further step of maintaining said purged containers in a generally upright position with said inert gas retained therein to thereby prevent the influx of air into said purged containers.

5. The method as claimed in claim [1] 2 wherein said step of grinding said roasted coffee directly into a container filling apparatus is carried out within a sealed enclosure having substantially all of the oxygen therein removed.

6. The method as claimed in claim [1] 2 wherein said step of grinding said roasted coffee directly into a container filling apparatus is carried out within a modified oxygen depleted atmosphere.

13. [A method of processing roasted coffee beans to minimize the loss of carbon dioxide and aromatics liberated from the coffee beans following roasting, the method comprising the steps of preparing one or more containers for receiving roasted coffee beans therein, purging said

containers of contained air through flushing with an inert gas and thereafter maintaining said purged containers in a generally upright position with said inert gas retained therein to prevent the influx of air into said purged containers, without delay and without allowing said roasted coffee beans to accumulate in storage bins or staging areas transporting and delivering said roasted coffee beans directly to a container filling apparatus, with said container filling apparatus delivering said roasted coffee beans directly into said purged containers, and, thereafter, sealing said containers to maximize the retention of carbon dioxide and aromatics liberated from said roasted coffee beans and to minimize contact of said roasted coffee beans with the air.]

14. The method as claimed in claim [13] 16 wherein said step of delivering said roasted coffee beans directly into said containers is carried out within a sealed enclosure having substantially all of the oxygen therein removed.

15. The method as claimed in claim [13] 16 wherein said step of delivering said roasted coffee beans directly into said containers is carried out within a modified oxygen depleted atmosphere.

16. [The method as claimed in claim 13] A method of processing roasted coffee beans to minimize the loss of carbon dioxide and aromatics liberated from the coffee beans following roasting, the method comprising the steps of preparing one or more containers for receiving roasted coffee beans therein, purging said containers of contained air through flushing with an inert gas and thereafter maintaining said purged containers in a generally upright position with said inert gas retained therein to prevent the influx of air into said purged containers, without delay and without allowing said roasted coffee beans to accumulate in storage bins or staging areas transporting and delivering said roasted coffee beans directly to a container filling apparatus, with said container filling apparatus delivering said roasted coffee beans directly into

said purged containers, and, thereafter, sealing said containers to maximize the retention of carbon dioxide and aromatics liberated from said roasted coffee beans and to minimize contact of said roasted coffee beans with the air, [wherein] said step of transporting roasted coffee beans to said container filling apparatus [comprises] comprising transportation of said roasted coffee beans directly from a roasting circuit with minimal delay and minimal degasification, said coffee beans transported in an oxygen depleted environment.